

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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VERNETTE LEE,

Plaintiff,

- v -

CITY OF NEW YORK, et al.,

Defendants.
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MEMORANDUM ORDER

CV-12-560 (ARR)(VVP)

The plaintiff has filed an appeal from the court's denial of an extension of the factual discovery deadline which reflects a misunderstanding, in part, of the court's rulings concerning discovery that were made during a telephone conference held yesterday in this action. To facilitate Judge Ross's review of the court's rulings, this order provides the following clarifications:

1. Notwithstanding that fact discovery was declared closed, the court did not prohibit the parties from conducting the depositions they wished to take upon mutual agreement; this ruling was intended to permit the parties to continue with the depositions they had apparently scheduled and to thereafter use those depositions in any manner consistent with the Federal Rules of Evidence;

2. The parties did not seek any extensions of, and the court made no rulings on, the schedule concerning expert discovery; nor did the court prohibit the parties from completing expert discovery in accordance with previously set deadlines which have not yet expired.

SO ORDERED:

Viktor V. Pohorelsky

VIKTOR V. POHORELSKY
United States Magistrate Judge

Dated: Brooklyn, New York
January 4, 2013